

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY LATOUR, *et al.*,

Plaintiffs,

vs.

NORTH SEWICKLEY TOWNSHIP, *et al.*,

Defendants.

Civil Action No. 06-849

AMBROSE, Chief District Judge

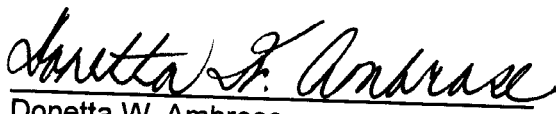
MEMORANDUM ORDER OF COURT

Defendants, North Sewickley Township, North Sewickley Township Police Department, Michael Markun and Harry Beighley (hereinafter "North Sewickley Defendants") filed a Motion to Dismiss on September 27, 2006, the day before the case management conference. (Docket No.

12). After a review of the same, the Motion is granted in part and denied in part as follows:

1. North Sewickley Township Police Department is dismissed as a duplicative defendant; and
2. The references to Riverside High School, the School District, and "Rap" in the Complaint provide background information and context, and, thus, shall not be struck from the Complaint.

BY THE COURT:

 9-28-06
Donetta W. Ambrose
Chief U.S. District Judge